

(d) VESSELS OF THE ARMED FORCES.—Nothing in this title shall be construed to apply to—

(1) a vessel owned or operated by the Department of Defense (other than a time-chartered or voyage-chartered vessel); or

(2) a vessel of the Coast Guard, as designated by the Secretary of the department in which the Coast Guard is operating.

#### SEC. 3608. ALTERNATIVE COMPLIANCE PROGRAM.

(a) IN GENERAL.—The Secretary, in consultation with the Administrator, may promulgate regulations establishing 1 or more compliance programs as an alternative to ballast water management regulations issued under section 3605 for a vessel that—

(1) has a maximum ballast water capacity of less than 8 cubic meters;

(2) is less than 3 years from the end of the useful life of the vessel, as determined by the Secretary; or

(3) discharges ballast water into a facility for the reception of ballast water that meets standards promulgated by the Administrator, in consultation with the Secretary.

(b) PROMULGATION OF FACILITY STANDARDS.—Not later than 1 year after the date of enactment of this Act, the Administrator, in consultation with the Secretary, shall promulgate standards for—

(1) the reception of ballast water from a vessel into a reception facility; and

(2) the disposal or treatment of the ballast water under paragraph (1).

#### SEC. 3609. JUDICIAL REVIEW.

(a) IN GENERAL.—An interested person may file a petition for review of a final regulation promulgated under this title in the United States Court of Appeals for the District of Columbia Circuit.

(b) DEADLINE.—A petition shall be filed not later than 120 days after the date that notice of the promulgation appears in the Federal Register.

(c) EXCEPTION.—Notwithstanding subsection (b), a petition that is based solely on grounds that arise after the deadline to file a petition under subsection (b) has passed may be filed not later than 120 days after the date that the grounds first arise.

#### SEC. 3610. EFFECT ON STATE AUTHORITY.

(a) IN GENERAL.—No State or political subdivision thereof may adopt or enforce any statute or regulation of the State or political subdivision with respect to a discharge incidental to the normal operation of a vessel after the date of enactment of this Act.

(b) SAVINGS CLAUSE.—Notwithstanding subsection (a), a State or political subdivision thereof may enforce a statute or regulation of the State or political subdivision with respect to ballast water discharges incidental to the normal operation of a vessel that specifies a ballast water performance standard that is more stringent than the ballast water performance standard under section 3605(a)(1)(A) and is in effect on the date of enactment of this Act if the Secretary, after consultation with the Administrator and any other Federal department or agency the Secretary considers appropriate, makes a determination that—

(1) compliance with any performance standard specified in the statute or regulation can in fact be achieved and detected;

(2) the technology and systems necessary to comply with the statute or regulation are commercially available; and

(3) the statute or regulation is consistent with obligations under relevant international treaties or agreements to which the United States is a party.

(c) PETITION PROCESS.—

(1) SUBMISSION.—The Governor of a State seeking to enforce a statute or regulation under subsection (b) shall submit a petition

requesting the Secretary to review the statute or regulation.

(2) CONTENTS; DEADLINE.—A petition shall—

(A) be accompanied by the scientific and technical information on which the petition is based; and

(B) be submitted to the Secretary not later than 90 days after the date of enactment of this Act.

(3) DETERMINATIONS.—The Secretary shall make a determination on a petition under this subsection not later than 90 days after the date that the petition is received.

#### SEC. 3611. APPLICATION WITH OTHER STATUTES.

Notwithstanding any other provision of law, this title shall be the exclusive statutory authority for regulation by the Federal Government of discharges incidental to the normal operation of a vessel to which this title applies. Except as provided under section 3605(a)(1)(A), any regulation in effect on the date immediately preceding the effective date of this Act relating to any permitting requirement for or prohibition on discharges incidental to the normal operation of a vessel to which this title applies shall be deemed to be a regulation issued pursuant to the authority of this title and shall remain in full force and effect unless or until superseded by new regulations issued hereunder.

**SA 3957.** Mr. REID (for Mr. HARKIN) proposed an amendment to the bill H.R. 669, to improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life; as follows:

Amend the title so as to read: “A bill to improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life.”.

**SA 3958.** Mr. REID (for Mr. HARKIN) proposed an amendment to the bill H.R. 669, to improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life; as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Sudden Unexpected Death Data Enhancement and Awareness Act”.

#### SEC. 2. CONTINUING ACTIVITIES RELATED TO STILLBIRTH, SUDDEN UNEXPECTED INFANT DEATH AND SUDDEN UNEXPLAINED DEATH IN CHILDHOOD.

(a) IN GENERAL.—The Secretary of Health and Human Services shall continue activities related to still birth, sudden unexpected infant death, and sudden unexplained death in childhood, including, as appropriate—

(1) collecting information, such as socio-demographic, death scene investigation, clinical history, and autopsy information, on stillbirth, sudden unexpected infant death, and sudden unexplained death in childhood through the utilization of existing surveillance systems and collaborating with States to improve the quality, consistency, and collection of such data;

(2) disseminating information to educate the public, health care providers, and other stakeholders on stillbirth, sudden unexpected infant death and sudden unexplained death in childhood; and

(3) collaborating with the Attorney General, State and local departments of health, and other experts, as appropriate, to provide consistent information for medical examiners and coroners, law enforcement personnel, and health care providers related to death scene investigations and autopsies for sudden unexpected infant death and sudden unexplained death in childhood, in order to

improve the quality and consistency of the data collected at such death scenes and to promote consistent reporting on the cause of death after autopsy to inform prevention, intervention, and other activities.

(b) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Secretary of Health and Human Services shall submit to Congress a report that includes a description of any activities that are being carried out by agencies within the Department of Health and Human Services, including the Centers for Disease Control and Prevention and the National Institutes of Health, related to stillbirth, sudden unexpected infant death, and sudden unexplained death in childhood, including those activities identified under subsection (a).

#### SEC. 3. NO ADDITIONAL APPROPRIATIONS.

This Act shall not be construed to increase the amount of appropriations that are authorized to be appropriated for any fiscal year.

### AUTHORITY FOR COMMITTEES TO MEET

#### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. WALSH. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on November 20, 2014, at 10 a.m. in room SR-253 of the Russell Senate Office Building to conduct a hearing entitled, “Examining Takata Airbag Defects and the Vehicle Recall Process.”

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. WALSH. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on November 20, 2014, at 10 a.m., in room SD-430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. WALSH. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on November 20, 2014, at 1 p.m., in room SD-430 of the Dirksen Senate Office Building to conduct a hearing entitled “Why Are Some Generic Drugs Skyrocketing in Price?”

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMITTEE ON THE JUDICIARY

Mr. WALSH. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on November 20, 2014, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMITTEE ON RULES AND ADMINISTRATION

Mr. WALSH. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be

authorized to meet during the session of the Senate on November 20, 2014, in room S-216 of the Capitol, immediately following the floor vote at 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. WALSH. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on November 20, 2014, at 9:30 a.m., to conduct a hearing entitled "Wall Street Bank Involvement With Physical Commodities."

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SELECT COMMITTEE ON INTELLIGENCE

Mr. WALSH. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on November 20, 2014, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PRIVILEGES OF THE FLOOR

Mr. MURPHY. Mr. President, I ask unanimous consent that Amanda Clinton, a health care fellow in my office, be granted floor privileges for the remainder of the calendar year.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SUDDEN UNEXPECTED DEATH DATA ENHANCEMENT AND AWARENESS ACT

Mr. REID. I ask unanimous consent that the HELP Committee be discharged from further consideration of H.R. 669, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The legislative clerk read as follows:  
A bill (H.R. 669) to amend the Public Health Service Act to improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. I ask unanimous consent that the Harkin substitute amendment, which is at the desk, be agreed to; the bill, as amended, be read a third time and passed, and the Harkin amendment to the title, which is also at the desk, be agreed to, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 3958) in the nature of a substitute was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Sudden Unexpected Death Data Enhancement and Awareness Act".

#### SEC. 2. CONTINUING ACTIVITIES RELATED TO STILLBIRTH, SUDDEN UNEXPECTED INFANT DEATH AND SUDDEN UNEXPLAINED DEATH IN CHILDHOOD.

(a) IN GENERAL.—The Secretary of Health and Human Services shall continue activities related to still birth, sudden unexpected infant death, and sudden unexplained death in childhood, including, as appropriate—

(1) collecting information, such as sociodemographic, death scene investigation, clinical history, and autopsy information, on stillbirth, sudden unexpected infant death, and sudden unexplained death in childhood through the utilization of existing surveillance systems and collaborating with States to improve the quality, consistency, and collection of such data;

(2) disseminating information to educate the public, health care providers, and other stakeholders on stillbirth, sudden unexpected infant death and sudden unexplained death in childhood; and

(3) collaborating with the Attorney General, State and local departments of health, and other experts, as appropriate, to provide consistent information for medical examiners and coroners, law enforcement personnel, and health care providers related to death scene investigations and autopsies for sudden unexpected infant death and sudden unexplained death in childhood, in order to improve the quality and consistency of the data collected at such death scenes and to promote consistent reporting on the cause of death after autopsy to inform prevention, intervention, and other activities.

(b) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Secretary of Health and Human Services shall submit to Congress a report that includes a description of any activities that are being carried out by agencies within the Department of Health and Human Services, including the Centers for Disease Control and Prevention and the National Institutes of Health, related to stillbirth, sudden unexpected infant death, and sudden unexplained death in childhood, including those activities identified under subsection (a).

#### SEC. 3. NO ADDITIONAL APPROPRIATIONS.

This Act shall not be construed to increase the amount of appropriations that are authorized to be appropriated for any fiscal year.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 669), as amended, was passed.

The amendment (No. 3957) was agreed to, as follows:

(Purpose: To amend the title)

Amend the title so as to read: "A bill to improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life."

#### PROVIDING FOR THE EXTENSION OF THE ENFORCEMENT INSTRUCTION ON SUPERVISION REQUIREMENTS FOR OUTPATIENT THERAPEUTIC SERVICES IN CRITICAL ACCESS AND SMALL RURAL HOSPITALS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 4067.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 4067) to provide for the extension of the enforcement instruction on super-

vision requirements for outpatient therapeutic services in critical access and small rural hospitals through 2014.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I ask unanimous consent that the bill be read a third time, passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 4067) was ordered to a third reading, was read the third time, and passed.

#### AMENDING THE FEDERAL CHARTER OF THE VETERANS OF FOREIGN WARS OF THE UNITED STATES

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 5441.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 5441) to amend the Federal charter of the Veterans of Foreign Wars of the United States to reflect the service of women in the Armed Forces of the United States.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I ask unanimous consent that the bill be read a third time, passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 5441) was ordered to a third reading, was read the third time, and passed.

#### STELA REAUTHORIZATION ACT OF 2014

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 5728.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 5728) to amend the Communications Act of 1934 and title 17, United States Code, to extend expiring provisions relating to the retransmission of signals of television broadcast stations, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. LEAHY. Mr. President, today the Senate will finally act to send legislation to the President's desk that will ensure that Vermonters and 1.5 million Americans across the country will continue to receive satellite television programming at the end of the year. The legislation reauthorizes the Satellite Television Extension and Localism Act, STELA, which creates a distant signal statutory license to receive broadcast television signals via satellite. This legislation is the product of four committees in the Senate and